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Security Council
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Wednesday, 6 December 2000, 10.30 a.m.
New York

President:	Mr. Lavrov	(Russian Federation)
Members:	Argentina	Mr. Listre
	Bangladesh	Mr. Ahmed
	Canada	Mr. Heinbecker
	China	Mr. Wang Yingfan
	France	Mr. Levitte
	Jamaica	Mr. Ward
	Malaysia	Mr. Hasmy
	Mali	Mr. Kassé
	Namibia	Mrs. Ashipala-Musavyi
	Netherlands	Mr. van Walsum
	Tunisia	Mr. Ben Mustapha
	Ukraine	Mr. Kuchynski
	United Kingdom of Great Britain and Northern Ireland	Mr. Grainger
	United States of America	Ms. Soderberg

Agenda

The responsibility of the Security Council in the maintenance of international peace and security.

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00-78328 (E)

The meeting was called to order at 10.45 a.m.

Adoption of the agenda

The agenda was adopted.

The responsibility of the Security Council in the maintenance of international peace and security

The President (*spoke in Russian*): In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Hans Corell, Under-Secretary-General for Legal Affairs, the Legal Counsel.

There being no objection, it is so decided.

I invite Mr. Corell to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting today in accordance with the understanding reached in its prior consultations.

At this meeting, the Security Council will hear a briefing by Mr. Hans Corell, Under-Secretary-General for Legal Affairs, the Legal Counsel. I give him the floor.

Mr. Corell: Thank you for inviting me to brief the Security Council on this very important topic, international terrorism. A couple of days ago I provided a briefing note in which I have elaborated together with my collaborators, in the Office of Legal Affairs, on this topic.

The briefing note examines the role of the Security Council, the General Assembly and the Secretariat of the United Nations as regards the significant developments in international law pertaining to terrorism that took place in the 1990s. Particular attention is given both to the application of sanctions in specific cases and to the strides made in the development of a legal framework of conventions dealing with international terrorism where a number of innovative measures have been taken. As it appears, the note attempts to give a general overview of the situation, while at the same time it describes in more detail, under separate headings, salient parts of the documents discussed in order to provide more in-depth information to the interested reader.

Allow me first to focus on the actions taken by the Security Council in this field. The Council has dealt with the matter both in general terms and in more specific cases.

First, members of the Security Council will recall that the Council addressed the matter of international terrorism in general in January 1992. In a statement issued on the occasion of the Security Council Summit of 31 January 1992, the members of the Council expressed their deep concern over acts of international terrorism and emphasized the need for the international community to deal effectively with all such acts.

The most prominent individual cases in which the Council has dealt with the issue of international terrorism are those involving Libya, Afghanistan and the Sudan. I am, of course, prepared to present these cases to the members of the Council if this is deemed useful. However, since these are matters with which the Council is familiar, I do not otherwise intend to dwell upon them in this presentation. For the convenience of the members of the Council, the details are included in the briefing material.

I should instead like to focus on the very important Security Council resolution 1269 (1999) of 19 October 1999. In this resolution, the Council, inter alia, unequivocally condemned

> "all acts, methods and practices of terrorism as criminal and unjustifiable, regardless of their motivation, in all their forms and manifestations, wherever and by whomever committed, in particular those which could threaten international peace and security". (*resolution 1269 (1999), para. 1*)

The Council called upon States to implement fully the anti-terrorism conventions to which they are parties and to consider adhering to those to which they are not parties. It encouraged the speedy adoption of pending conventions; emphasized the need for enhanced cooperation among States and regional and international organizations; and called upon States to take a series of steps in order to prevent the preparation, financing and commission of terrorist acts and to bring to justice the perpetrators of such acts. Furthermore, the Council expressed its readiness

> "to take necessary steps in accordance with its responsibilities under the Charter of the United

Nations in order to counter terrorist threats to international peace and security". (*ibid., para. 6*)

In the resolution, the Security Council also requests the Secretary-General, in his reports to the General Assembly — in particular those reports submitted in accordance with General Assembly resolution 50/53 on measures to eliminate international terrorism — to pay special attention to the need to prevent and fight the threat to international peace and security as a result of such terrorist activities. I will revert to this issue in a few moments.

I should now like to focus on actions taken by the General Assembly. The first element in this context is the 1994 Declaration on Measures to Eliminate International Terrorism. During the 1990s, the principal trend to emerge from discussions in the Sixth Committee on the topic of international terrorism was an emphasis on international cooperation between States as the primary means to prevent and eliminate international terrorism. To this end, Member States elaborated a draft declaration on measures to eliminate international terrorism. The General Assembly adopted the Declaration on Measures to Eliminate International Terrorism in resolution 49/60 of 9 December 1994.

The preambular paragraphs of the 1994 Declaration refer to the desirability for closer coordination and cooperation among States in combating crimes closely connected with terrorism, including drug trafficking, unlawful arms trade, money laundering and the smuggling of nuclear materials; the "determination of the Assembly to eliminate international terrorism in all its forms and manifestations"; and the desirability of keeping under review the scope of existing international legal provisions in order to ensure a comprehensive legal framework for the elimination of terrorism.

In the Declaration, the Member States solemnly reaffirmed their unequivocal condemnation of all acts, methods and practices of terrorism as criminal and unjustifiable, wherever and by whomever committed, including those which jeopardize the friendly relations among States and peoples and threaten the territorial integrity and security of States. Furthermore, it is declared that criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons for political purposes are in any circumstances unjustifiable, whatever the considerations of a political, philosophical, ideological, racial, ethnic, religious or any other nature that may be invoked to justify them. More detailed information appears in my briefing note.

In 1996, the General Assembly adopted the Declaration to Supplement the 1994 Declaration on Measures to Eliminate International Terrorism. This was done in resolution 51/210 of 17 December 1996. In the Declaration, the General Assembly reaffirmed that States should take appropriate measures in conformity with the relevant provisions of national and international law, including international standards of human rights, before granting refugee status, for the purpose of ensuring that the asylum-seeker has not participated in terrorist acts. In this regard, relevant information as to whether the asylum-seeker is subject to investigation for or is charged with or has been convicted of offences connected with terrorism should be considered. The General Assembly says that the same should apply, after granting refugee status, for the purpose of ensuring that that status is not used for the purpose of preparing or organizing terrorist acts intended to be committed against other States or their citizens. Further details are given in the briefing note.

Allow me now to focus on the 1997 International Convention for the Suppression of Terrorist Bombings.

In 1996, the Secretary-General prepared a report pursuant to General Assembly resolution 50/53 in relation to the implementation of the 1994 Declaration on Measures to Eliminate International Terrorism. In this report, the Secretary-General conducted an analytical review of existing international legal instruments relating to international terrorism and concluded that there was a need to elaborate international treaties or other kinds of instruments in areas or with respect to subjects not covered by existing treaties. Possible subjects suggested by the Secretary-General included terrorist bombings, terrorist fund-raising, traffic in arms, money laundering and preventing the use of weapons of mass destruction by terrorists and the use of modern information technology for terrorist purposes. The goal was to develop a comprehensive legal framework of conventions for dealing with international terrorism.

In resolution 51/210, the General Assembly decided to establish an Ad Hoc Committee to elaborate an international convention for the suppression of terrorist bombings and, subsequently, an international convention for the suppression of acts of nuclear

terrorism, to supplement related existing international instruments. The General Assembly also decided that the Ad Hoc Committee would at a later stage address means of further developing a comprehensive legal framework of conventions dealing with international terrorism.

The Ad Hoc Committee, whose mandate has been renewed on a yearly basis since 1997, was instrumental in preparing, in the latter half of the 1990s, some of the most important international conventions against international terrorism. The Committee is composed of all States and has met for an average of two weeks in the first half of each year, while a Working Group of the Sixth Committee has continued the elaboration of the respective conventions during an additional period of two weeks in the second semester of each year.

The first task entrusted to the Ad Hoc Committee was the elaboration of an international convention for the suppression of terrorist bombings. France, on behalf of the Group of Seven and the Russian Federation, submitted a preliminary working document, which constituted the basis of the negotiations.

The International Convention for the Suppression of Terrorist Bombings was adopted in General Assembly resolution 52/164 of 15 December 1997 and constitutes one of the main achievements of the Ad Hoc Committee. The provisions of the terrorist bombings Convention have been used in the subsequent negotiations of other anti-terrorism conventions. The details appear in the briefing note.

The terrorist bombings Convention was opened for signature on 12 January 1998 and, as of 1 December 2000, had 58 signatories and 16 ratifications. The Convention requires 22 ratifications to enter into force.

The next achievement in this context is the 1999 International Convention for the Suppression of the Financing of Terrorism.

As early as 1996, the Secretary-General considered that there was a need to elaborate an international treaty dealing with terrorist fund-raising. This convention would contribute to the General Assembly's stated goal of developing a comprehensive legal framework of conventions for dealing with international terrorism. Such a convention would not only punish those financing terrorist acts, but would also prevent such financing through mutual legal assistance and cooperation. It would also serve as a means of alerting donors who intended to contribute to charitable, humanitarian or other legal causes that their funds could be used to finance terrorist activities.

In 1998, the General Assembly decided that the Ad Hoc Committee should elaborate a draft international convention for the suppression of terrorist financing. The basis for the discussions in the Ad Hoc Committee was a draft convention prepared by France. Many of the provisions in the draft convention closely follow the corresponding provisions of the terrorist bombing Convention.

The International Convention for the Suppression of the Financing of Terrorism was adopted without a vote in General Assembly resolution 54/109 of 9 December 1999. With respect to the details, I refer again to the briefing note.

The Convention was opened for signature on 10 January 2000. As of 1 December 2000 it had 35 signatories and 2 ratifications. This Convention represents a further step in the consolidation of legal norms pertaining to the elimination of international terrorism. It not only reaffirms certain principles included in the terrorist bombings Convention but also extends the reach of the international legal regime to acts ancillary to terrorist acts. By targeting the financial activities that are necessary for the commission of a terrorist offence, the Convention constitutes a valuable part of the overall framework of counter-terrorism treaties.

A matter that the Ad Hoc Committee is still discussing is a draft international convention for the suppression of acts of nuclear terrorism. When it established the Ad Hoc Committee, in 1996, the General Assembly entrusted the Committee with the elaboration of an international convention for the suppression of acts of nuclear terrorism, a task that the Committee began in 1998 immediately upon completion of the terrorist bombings Convention.

The Russian Federation had proposed a convention to combat acts of nuclear terrorism in order to fill the lacunae left by the 1980 Convention on the Physical Protection of Nuclear Materials, which is referred to as the 1980 Convention. The proposal comprises the extension of the definition of nuclear material to include objects and materials for military use, as well as the provision of a clearer definition of

the crime of illegal acquisition of nuclear materials for terrorist purposes and the inclusion of terrorist acts against nuclear power plants, vessels with nuclear power sources and the use of automatic nuclear devices. In that regard, the new convention would cover to the broadest extent the possible targets, forms and manifestations of acts of nuclear terrorism. Furthermore, unlike the 1980 Convention, the proposed convention would draw a distinction between acts of nuclear terrorism and other criminal acts involving the use of nuclear material by referring to the purpose of such acts. Further details with respect to the draft appear in the briefing note.

Negotiations to finalize the draft international convention for the suppression of acts of nuclear terrorism, as proposed by the "Friends of the Chairman", have been stalled due to the concern by some delegations about certain provisions, most notably its scope of application. One particular concern is the inclusion of draft article 4, which excludes the activities of the armed forces of a State from the scope of the draft convention. Divergent views were also expressed on extending the scope of the draft convention to cover acts of State terrorism and on the inclusion of provisions dealing with the dumping of radioactive waste.

Since October 1998 repeated attempts have been made, so far without success, to find a compromise that would allow the adoption of the draft convention without a vote. The draft resolution on the measures to eliminate international terrorism recently adopted by the Sixth Committee once again entrusts the Ad Hoc Committee with attempting to complete the instrument. That brings me to the mandate of the Ad Hoc Committee.

In resolution 54/110, the Assembly renewed the mandate of the Ad Hoc Committee, entrusting it with, in addition to finalizing the draft convention for the suppression of acts of nuclear terrorism, addressing the question of convening a high-level conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations, and to begin consideration of, with a view to the elaboration of, a comprehensive convention on international terrorism.

With regard to the question of convening a high-level conference on terrorism, the Ad Hoc Committee held discussions on the matter in February this year. Some delegations expressed support for holding such a conference, which could, inter alia, focus on concrete measures to strengthen the existing framework of international cooperation; focus on preventive measures such as the promotion of cooperation among the law-enforcement authorities of States; elaborate a definition of terrorism, and so forth. On the other hand, other delegations had doubts about the practical benefits of holding a conference on terrorism and the likelihood of concrete results arising therefrom. The Ad Hoc Committee, as a result of its deliberations at its fourth session, formulated no recommendation on the matter. The views of delegations were repeated during the recent consideration in the Sixth Committee of the item entitled "Measures to eliminate international terrorism". Bilateral consultations on the issue continue.

A Working Group of the Sixth Committee embarked on the elaboration of a comprehensive convention on international terrorism from 25 September to 6 October 2000. The basis for the negotiations was a draft text prepared by India, and the progress made is reflected in the report of the Working Group.

During the recent consideration of the item in the Sixth Committee, delegations expressed support for the work begun. Some delegations were of the view that the instrument should be truly comprehensive in scope, containing a definition of terrorism that clearly distinguishes between terrorist acts and the legitimate struggle of peoples for national liberation from colonial and other forms of alien domination and foreign occupation, as well as covering all aspects of the problem, including State terrorism and certain activities of armed forces. Other delegations, however, were of the view that the future convention should complement and complete the existing sectoral anti-terrorism conventions rather than replace them.

The draft resolution adopted by the Sixth Committee on the item, which is scheduled for consideration by the General Assembly on 12 December 2000, renews the mandate of the Ad Hoc Committee. It is proposed that the Committee should meet from 12 to 23 February 2001, in order to continue the elaboration of a draft comprehensive convention against international terrorism, but also to consider the outstanding issues on the draft international convention for the suppression of acts of nuclear terrorism and to

keep on its agenda the question of convening a high-level conference on terrorism.

In this context, I should like to draw the attention of the members of the Council to the 2000 United Nations Convention against Transnational Organized Crime, even if that Convention does not focus expressly on terrorism. That Convention was adopted by the General Assembly on 15 November 2000. The Convention will be opened for signature at the High-level Political Signing Conference to be held in Palermo from 12 to 15 December 2000, that is to say, next week.

The Convention focuses on crimes of a financial nature, money-laundering and corruption, and contains extensive provisions on international cooperation. Of particular interest in this context is that the General Assembly, in its resolution adopting the Convention, recommended that

> "the Ad Hoc Committee established by the General Assembly in its resolution 51/210 of 17 December 1996, which is beginning its deliberations with a view to developing a comprehensive convention on international terrorism, pursuant to Assembly resolution 54/110 of 9 December 1999, should take into consideration the provisions of the United Nations Convention against Transnational Organized Crime". (*General Assembly resolution 55/25, para. 7*)

In this context, I would also like to refer to the Vienna Declaration on crime and justice, meeting the challenges of the Twenty-first Century, endorsed by the General Assembly on Monday, 4 December. In that Declaration, which is an outflow of the Tenth United Nations Congress on the prevention of crime and the treatment of offenders held in Vienna 2000, there is a passage that reads as follows:

> "We note that acts of violence and terrorism continue to be of grave concern. In conformity with the Charter of the United Nations and taking into account all the relevant General Assembly resolutions, we shall together, in conjunction with our other efforts to prevent and to combat terrorism, take effective, resolute and speedy measures with respect to preventing and combating criminal activities carried out for the purpose of furthering terrorism in all its forms and manifestations. With this in view, we undertake to do our utmost to foster universal adherence to the international instruments concerned with the fight against terrorism." (*resolution 55/59, annex, para. 19*)

Allow me now to focus towards the end of my intervention on the role of the United Nations Secretariat.

Paragraph 10 of the 1994 Declaration on Measures to Eliminate International Terrorism called upon the Secretary-General to assist in its implementation by taking a series of practical measures.

The principal means of doing so has been an annual report by the Secretary-General to the General Assembly on the topic, containing data on the status and the implementation of existing multilateral, regional and bilateral agreements relating to international terrorism, as well as information on relevant incidents and criminal prosecutions. Pursuant to the Declaration, the material contained in the report is based on information received from the depositaries of the respective anti-terrorism conventions and from Member States. In the future, a specific reference will be made to operative paragraph 5 in Security Council resolution 1269 (1999) of 19 October 1999, to which I referred a few moments ago. The purpose is, of course, that Member States submitting information for the report of the Secretary-General may pay special attention to the terms of this resolution by the Security Council.

An analytical review of relevant existing international legal instruments was included in the 1996 report of the Secretary-General, and the General Assembly has taken action on some of the observations and conclusions contained in that review. It should be noted that there are currently 19 global or regional treaties pertaining to international terrorism. The Secretary-General presented their status with respect to signature, ratification, accession or succession to the General Assembly in a report (A/55/179) on 26 July 2000.

Another measure entrusted to the Secretary-General by the Declaration was the preparation of a compendium of national laws and regulations regarding the prevention and suppression of international terrorism. Since the Declaration was adopted, the Secretariat has been compiling the pertinent information submitted by States. The Secretariat has

received information from 50 States. The respective volume of the Legislative Series is currently being prepared and should be finalized before the end of the year.

The Office of Legal Affairs has also prepared a compilation of the global and regional conventions on international terrorism, which will be submitted for publication by the end of the year.

An important contribution to combating international terrorism is also made by the United Nations Office for Drug Control and Crime Prevention (ODCCP) in Vienna. The Terrorism Prevention Branch at ODCCP came into existence in mid-April 1999 and is linked to the Centre for International Crime Prevention. Its mandate derives from General Assembly resolution 52/220 of 22 December 1997, which endorsed the proposal of the Secretary-General to strengthen the capacity of the newly created Centre.

The Branch has, in the field of preventing and combating terrorism, a division of labour with the Office of Legal Affairs. While the Office of Legal Affairs focuses mainly on legal and normative matters, including Conventions and Protocols against Terrorism, the Branch concentrates more on research and technical cooperation. In the field of technical cooperation several manuals are planned, with titles such as: Assisting Victims of Terrorism: A Manual for Helpers; Responsible Media Coverage of Terrorism: A Guide for Journalists and Law Enforcement Officers; Bomb Threat Analysis and Response; and Hostage Situations and Rescue Operations.

The Terrorism Prevention Branch organized a meeting on "Terrorism Victimization: Prevention, Control, and Recovery", on 12 April 2000, during the Tenth United Nations Congress on Crime Prevention and the Treatment of Offenders, in Vienna, and, together with the International Scientific and Professional Advisory Council (ISPAC) of the United Nations Crime Prevention and Criminal Justice Programme, an international conference on "Countering Terrorism through Enhanced International Cooperation", in Courmayeur, Italy, in September 2000. I had the privilege of participating in that conference myself.

Furthermore, reports have been written on the role of terrorism in the Chechen crisis and the Kosovo crisis. United Nations Member States have been approached with a questionnaire on "Best Practices" and "Lessons Learned" in the field of combating terrorism. Two major databases, on terrorist incidents and counter-terrorist measures respectively, are maintained and updated on a daily basis. A "Toolbox of Counter-terrorism Measures" is being developed, and a "Roster of Experts" has been created by the Branch. Results of these efforts will be incorporated in a biennial "Global Terrorism Survey", the first edition of which is scheduled for late 2001.

With permission, I should now like to sum up with a few concluding remarks.

The effectiveness of any legal regime in the international field is limited by the amount of support it attains. In the case of the conventions against international terrorism, this support can be measured by the number of signatures and ratifications of the relevant international instruments, as well as the development and promotion of national laws to implement them. The most recent report of the Secretary-General on measures to eliminate international terrorism lists global or regional treaties pertaining to the subject. The latest list includes recent regional agreements by the League of Arab States, the Organization of the Islamic Conference and the Commonwealth of Independent States.

During the Millennium Summit, both the terrorist bombings Convention and the International Convention for the Suppression of the Financing of Terrorism received additional signatures and ratifications that constitute a renewed commitment from the international community to unite around the common goal of putting an end to the scourge of international terrorism.

The fight against terrorism requires better international cooperation. However, there are several obstacles standing in the way of enhanced international cooperation. The definition problem, the political element, the links between terrorist groups and organized crime groups and the perceived relationship between religion and terrorism in some parts of the world make terrorism a difficult issue to handle. One can only express the hope that practical cooperation is extended whenever possible, and that States realize that cooperation is indispensable if they are to succeed in countering terrorism and eliminating this cowardly form of indiscriminate violence against innocent people for purposes of propaganda, blackmail or intimidation.

I stand ready to answer any questions that members of the Council may wish to put to me. I thank you for your attention.

The President (*spoke in Russian*): I thank Mr. Corell for his detailed briefing.

Mr. Grainger (United Kingdom): My delegation is very grateful to the Legal Counsel for his briefing and for the very thorough briefing notes which he circulated previously. We commend the continuing efforts of the Organization, through the efforts of the Security Council, the General Assembly and the Secretariat, to address the threat of international terrorism.

Terrorists continue to kill, injure and intimidate innocent people around the world. Terrorist acts not only constitute a challenge to the authority of those States on whose territory they are committed, but in a number of cases also constitute a threat to international peace and security. That link has been recognized by the Security Council, including in resolution 1269 (1999), adopted under your presidency, Sir, October 1999. It is therefore vital that the United Nations continue to act resolutely in response to this threat and to sent a strong message that the international community will not tolerate the use of terrorist methods.

The United Kingdom fully supports the measures taken by the Organization to address terrorist threats, including, in appropriate cases, the imposition of measures by the Council against those who fail to bring to justice those responsible for terrorist acts.

The United Kingdom commends the latest United Nations conventions, to which Mr. Corell referred today: the International Convention for the Suppression of Terrorist Bombings and the International Convention for the Suppression of the Financing of Terrorism. We urge States which have not signed them, or other conventions aimed at combating terrorism, to do so at the earliest opportunity. The United Kingdom expects to ratify both of these conventions early next year.

The United Kingdom also supports the work proposed by India to draft a comprehensive convention on terrorism and the ongoing efforts to complete a draft international convention for the suppression of acts of nuclear terrorism, which was proposed by your own delegation, Mr. President. We hope that both of those proposals can be brought to completion as soon as possible.

The United Kingdom knows only too well the grim effects of terrorism, the need to be resolute in condemning it and the importance of finding practical ways to combat the continuing threats it represents. We are determined to continue our support of international efforts to fight terrorism, while upholding the United Nations Charter and other rules of international law, including those principles that defend human rights.

Mr. Listre (Argentina) (*spoke in Spanish*): I thank Mr. Hans Corell for his briefing. I wish also to thank the Russian Federation for its proposal to devote today's meeting to consideration of the implementation of resolution 1269 (1999), adopted more than a year ago. That resolution unequivocally condemned all acts, methods and practices of terrorism as criminal and unjustifiable. Its adoption was the culmination of a process of evolution in the treatment of terrorism by the Security Council, which long refrained from tackling the question of terrorist practices in an appropriate manner. Early in the 1990s, as a result of changes in the international situation, we saw the adoption of the first decisions viewing such practices as a threat to international peace and security.

The adoption of resolution 1269 (1999) also marked the conclusion of a process of clarifying the Security Council's competence in this sphere. Above and beyond the fact that these are unjustifiable crimes, irrespective of their motivation, it is undeniable today that certain terrorist acts pose a direct threat to international peace and security, which means that the Council may consider them and adopt measures on them. The Security Council's adoption of such measures, combined with the endeavours of other United Nations organs in this field, contributes to the Organization's fight against terrorism.

Argentina has always been well aware of the urgent need for the Council to address this matter, because my country was the victim of two grave terrorist attacks, the first in 1992 against the Israeli Embassy in Buenos Aires and the second in 1994 against my country's main Jewish organization, the Asociación Mutual Israelita Argentina. Speaking before the Security Council, my delegation indicated that it had turned to the Council after that attack, although the Council agreed to consider it only in an informal meeting. We said at the time that we were

convinced that the fight against terrorism had to be as intense as the fight against other serious crimes; we called for such an item to be included on the Council agenda. We are therefore grateful to the Russian Federation for its 1999 initiative and for its constant concern with respect to dealing with this crime.

It is disturbing to note the increasingly close relationship between terrorism and new forms of organized crime, drug trafficking and other criminal activities; this poses a growing threat to world peace because it uses state-of-the-art technology and crosses State borders to become a global problem. We welcome the recent adoption of the Convention against Transnational Organized Crime and its two protocols, and look forward to the adoption of a third draft protocol. Argentina worked actively for the adoption of those instruments and expresses its great satisfaction at this recent advance in the fight against international organized crime.

The international community has responded firmly to terrorism by formulating conventions to prosecute and punish its specific manifestations. Those instruments address the problem pragmatically and effectively. We hope that it will very soon be possible to overcome remaining difficulties in the negotiation of a draft international convention for the suppression of acts of nuclear terrorism, which was proposed by the Russian Federation. We will lend our full support to the achievement of a positive result. We urge all States to accede to these conventions and to play an active part in their implementation. We are also grateful to India for introducing a draft comprehensive convention on terrorism, which the General Assembly has begun to study carefully; the advanced thinking behind it has aroused great interest.

Terrorism is an unjustifiable crime. Some terrorist acts indeed pose a threat to international peace and security and therefore, in accordance with the Charter, fall within the competence of the Security Council. My country believes that the Council must continue to be involved in addressing this problem by strengthening the practical implementation of international law. We reaffirm our gratitude for the convening of today's meeting, and believe that, like last year's meeting, it will reiterate the unambiguous political message that we must send in respect of this crime.

The President (*spoke in Russian*): I thank the representative of Argentina for the kind words he addressed to my country.

Mr. Ben Mustapha (Tunisia) (*spoke in French*): I wish first of all, Mr. President, to thank you and your delegation for the initiative to include the question of international terrorism on the December agenda of the Security Council. I wish also to thank Mr. Hans Corell for his comprehensive briefing on the roles of United Nations organs in the fight against that scourge.

We are witnessing today the emergence of new transborder threats in the face of which the international community remains relatively powerless. With its dangerous and constantly evolving methods and its growing links to drug and arms trafficking and money-laundering, terrorism has become one of the major scourges of our day, as it obstructs the economic and social development of countries and destabilizes international peace and security.

Because no country in the world has any guarantee that it will be spared this scourge, the international community's response must be joint, coordinated and comprehensive. Because of its universality, the United Nations is an ideal framework in this respect. The Security Council, given its responsibility for the maintenance of international peace and security, must be able to identify those situations involving acts of terrorism which represent threats to international peace and security and react firmly, as has been the case on a number of occasions.

The Council, which took a stand on this question as early as 1970, has since then adopted several resolutions that have addressed fields as varied as the hijacking of aircraft, the taking of hostages, illicit acts against the safety of civil aviation, and kidnappings.

For its part, the General Assembly has a pivotal role in the elaboration of appropriate and effective legal instruments in the fight against terrorism. Thus in 1994 it adopted the Declaration on Measures to Eliminate International Terrorism, supplemented by a second Declaration condemning all acts and practices of terrorism, regardless of political, philosophical, ideological, ethnic or religious considerations.

These Declarations were subsequently consolidated through a whole arsenal of sectoral or special conventions addressing specific areas. Out of three recent drafts, two were successful. Thus the

Convention on the Suppression of Terrorist Bombings and the Convention for the Suppression of the Financing of Terrorism were adopted in 1997 and 1999, respectively. Tunisia, which is gratified at these important achievements, hopes that the draft on the suppression of acts of nuclear terrorism will meet with the same success, on the basis of a consensus.

My delegation believes, however, that in order to achieve that objective, it will be necessary to take into consideration the concerns of all the parties, inter alia, those expressed by the Non-Aligned Movement.

The elaboration of a comprehensive draft convention on terrorism as well as the convening, under the auspices of the United Nations, of a high-level conference will represent a good opportunity to further strengthen the dialogue in the fight against international terrorism and will send a strong signal of our collective determination to combat all acts of terrorism in all its forms.

In this framework, Tunisia fully supports the position adopted in the Durban Declaration by the Non-Aligned Movement, and we emphasize the need for international cooperation to combat terrorism, in accordance with the principles of the Charter of the United Nations, international law and the relevant international conventions. It is therefore vital that these international norms be respectful of the sovereignty and territorial integrity of States.

The role of the United Nations Secretariat is of equal importance. We are awaiting with great interest the publication of documents that will provide a compilation of national laws and regulations concerning the prevention of, and the fight against, international terrorism, as well as a compilation of related regional conventions.

The elaboration of international instruments is not the only area of joint effort. States and international organizations must also cooperate in implementing these texts in the broadest possible way. Tunisia believes that the fact that it has signed a large number of international legal instruments in the fight against terrorism and its accession to various Arab, Islamic, African and Mediterranean regional initiatives reflect its firm resolve to make a significant contribution to the efforts of the international community to confront this scourge.

Aware that individual action cannot suffice in this field, Tunisia has developed a close and fruitful cooperation with other States at the regional and bilateral levels, based on a continuing exchange of expertise and information with our partners.

While Tunisia categorically and unreservedly condemns terrorism in all its forms and manifestations, my delegation wishes to take this opportunity to recall the Declaration published on the occasion of the fiftieth anniversary of the United Nations and to emphasize our deep commitment to the need to distinguish between terrorism and the legitimate struggle of peoples subjected to occupation, whose goal it is to achieve their inalienable right to self-determination.

The President (*spoke in Russian*): I thank the representative of Tunisia for the kind words he addressed to me.

Mr. Wang Yingfan (China) (*spoke in Chinese*): The Chinese delegation is very grateful to the Under-Secretary-General and to the Legal Counsel, Mr. Hans Corell, for his briefing just now, which has provided us with some very helpful information on United Nations activities in combating international terrorism.

Acts of terrorism represent an enormous threat to international peace and security. That threat is looming even larger in view of terrorism's increasingly transborder nature and its growing use of high-technology methods. The Chinese delegation has always opposed and condemned terrorism in all its forms and manifestations, by any state, organization, group or individual, irrespective of motive.

We would like to express our appreciation for the progress that the United Nations has made in the last 10 years in promoting international cooperation and elaborating legal instruments in the fight against terrorism. Resolution 1269 (1999), adopted last year, has already become a very important guideline for the Security Council in addressing the question of international terrorism.

On the other hand, we also believe that in our approach to individual terrorist activities, the Security Council should endeavour to avoid or minimize resort to sanctions, because sometimes sanctions, while failing to satisfactorily resolve the problem, can bring about very serious humanitarian consequences.

Since 1994, when the General Assembly adopted the Declaration on Measures to Eliminate International

Terrorism, anti-terrorist legislation in the United Nations system has registered considerable progress. In 1996, the General Assembly adopted the Declaration to Supplement the 1994 Declaration and established the Ad Hoc Committee to strengthen legal measures to combat terrorism. In the four years since then, the Committee's efforts have led to the adoption of the International Convention for the Suppression of Terrorist Bombings and the International Convention for the Suppression of the Financing of Terrorism, and we have reached consensus on most of the text of the draft international convention for the suppression of acts of nuclear terrorism. This year the Ad Hoc Committee began work on formulating a comprehensive convention on international terrorism. All of these efforts will contribute to the further implementation and consolidation of the existing anti-terrorist legal system.

China has already acceded to all international anti-terrorism Conventions that are in force.

Cooperation between the Chinese Government and other States to combat terrorism has been increasing day by day. In July this year China, together with Kazakhstan, Kyrgyzstan, the Russian Federation and Tajikistan, issued the Dushanbe Declaration within the framework of the Shanghai Five, in which those countries reaffirmed their determination to jointly combat acts of terrorism, which constitute a major threat to regional security, stability and development. They also committed themselves never to allow their territories to be used for activities aimed at harming State sovereignty, security and social order in any of the five countries. We believe that this regional mechanism of international cooperation will play a very positive role in combating international terrorism.

Mr. Ahmed (Bangladesh): Mr. President, let me start by conveying our heartiest congratulations to you on your assumption of the Council presidency. I would also like to pay tribute to Ambassador van Walsum for his distinguished leadership of the Council in November.

We appreciate the comprehensive briefing given by the Legal Counsel, Mr. Hans Corell, on the work done by the Security Council, the General Assembly and the Secretariat on international terrorism. The comprehensive briefing note provided by him in advance has been very useful.

It is indeed a timely initiative to take up the question of follow-up to resolution 1269 (1999), on international terrorism in the context of Council responsibility, a year after its adoption. Information on progress in different areas, as required in paragraphs 2, 3 and 4 of that resolution is, as we expected, found in the latest report of the Secretary-General, contained in document A/55/179 of 26 July and its addendum of 9 October. The scope of our deliberations is therefore somewhat delineated by the debate in the Sixth Committee, which had the report of the Secretary-General before it. Our purpose here is also to express support for the work of other organs of the United Nations, Member States and regional and international organizations.

In the context of the Council's responsibility in the matter, we shall briefly comment on the follow-up of some of the provisions of resolution 1269 (1999).

Let us first take up paragraph 2. Three things are required of all States: full implementation of international anti-terrorist conventions to which they are parties, adhering to remaining conventions and speedy adoption of the pending conventions.

It is encouraging to note the increase in the number of States parties to the anti-terrorism conventions. The Government of Bangladesh is now engaged in examining the relevant international instruments with a view to early signature, ratification and accession, as the case may be. Simultaneously, we are undertaking an examination of the need for and forms of implementing domestic legislation.

We recognize some progress in the adoption of pending instruments since adoption of the resolution. The General Assembly adopted the International Convention for the Suppression of the Financing of Terrorism on 9 December 1999. The United Nations Convention against Transnational Organized Crime was adopted on 15 November 2000. Bangladesh expects to sign that Convention at an early date, upon completion of the examination process by the Government.

Two draft conventions have been under negotiation in the General Assembly's Ad Hoc Committee. The initiative taken by the Russian Federation in proposing the draft convention on the suppression of acts of nuclear terrorism has been highly appreciated. Mr. Corell's briefing has provided an update and a very pertinent analysis of the state of

negotiations. We regret the impasse over the questions of activities of national armed forces, State terrorism and dumping of radioactive waste.

Bangladesh has welcomed the initiative taken by India in preparing a draft comprehensive convention. There is a need for an overarching instrument to provide a possible basis for global consensus for dealing with terrorism and underpinning effective international cooperation. We have also expressed support for holding an international conference and hope the Ad Hoc Committee will be able to agree on the agenda of the conference when it meets next February.

We welcome the progress made over the year in strengthening international cooperation, as called for in paragraph 3 of resolution 1269 (1999). We appreciate the initiative taken by the Secretariat.

Paragraph 4 requires a series of measures by all States, ranging from prevention and suppression of terrorist acts and prosecution or extradition to refusal of asylum to terrorists and exchange of information. A more substantive and regular review of the implementation of these and other provisions of the resolution could be undertaken on the basis of a report from the Secretariat.

We have noted that the Secretariat intends to make specific mention of paragraph 5 of the Council's resolution in the future reports of the Secretary-General on the subject. For a regular follow-up by the Council in the areas under its responsibility, we wonder whether it would be a good idea to have the report of the Secretary-General issued as a document of both the General Assembly and the Security Council in view of the implications of terrorism for international peace and security recognized by the Council in the resolution.

Let me conclude by reiterating that, as a matter of principle, Bangladesh condemns all acts of terrorism, irrespective of motive, wherever and by whomever committed, as they violate the norms of international law, respect for international humanitarian law and human rights and affect international peace and security. We shall continue to contribute to the efforts aimed at combating international terrorism in all its forms.

The President (*spoke in Russian*): I thank the representative of Bangladesh for his kind words addressed to me.

Mr. van Walsum (Netherlands): We join other delegations in thanking the Russian presidency for its initiative to discuss in the Council measures to eliminate international terrorism. We also thank the Legal Counsel, Mr. Hans Corell, for his comprehensive briefing on the significant developments in international law that have occurred over the past few years.

In this connection, an important contribution was made by the Security Council during the previous Russian presidency, when it adopted resolution 1269 (1999), in which it unequivocally condemned all acts, methods and practices of terrorism as criminal and unjustifiable, regardless of their motivation, in all their forms and manifestations, wherever and by whomever committed, in particular those which could threaten international peace and security.

It is our view that the General Assembly must remain the principal United Nations platform for initiating efforts to combat international terrorism. The 12 United Nations terrorism conventions elaborated in the General Assembly represent a major achievement of that body. On the other hand, the Security Council has its role to play in special cases. The Security Council's involvement in the Lockerbie affair is a case in point.

The Netherlands is currently in the process of ratifying the last two of the 12 United Nations terrorism conventions: the Convention for the Suppression of Terrorist Bombings and the Convention for the Suppression of the Financing of Terrorism.

The sectoral approach in negotiating terrorism conventions has proved to be an effective track to achieving a legal framework. The Indian draft comprehensive convention that is currently under consideration in the Sixth Committee should, in our view, complement rather than replace the existing instruments so as to ensure that every single act of terrorism is adequately criminalized.

The existing Conventions have already attracted a large number of signatories and ratifications, and this possible new instrument should therefore not imperil the support these Conventions have already obtained.

International legal instruments alone do not suffice. Enhanced cooperation among States, both at the United Nations level and regionally, is essential for effective combating of terrorism.

The Netherlands continues to stand ready to fight terrorists. We acknowledge that the struggle against increasingly sophisticated terrorists may require increasingly harsher means. We wish to reiterate, however, that in cases where official use of violence is necessary, the response must be proportionate and limited to the requirements of the maintenance of public order. States have a special responsibility to observe international humanitarian and human rights law.

The President (*spoke in Russian*): I thank the representative of the Netherlands for the kind words he addressed to my delegation.

Mr. Ward (Jamaica): The issue of terrorism demands our attention, and for that reason we thank you, Mr. President, for convening this debate. We thank Mr. Hans Corell for his briefing, which enumerated the actions taken to combat terrorism and detailed further action needed by the international community in this regard.

Jamaica welcomes this opportunity to discuss the issue of terrorism, which continues to pose a serious threat to international peace and security. We therefore wish to express our appreciation for the initiative to hold this debate.

The fight against terrorism has intensified significantly since the General Assembly first considered the issue in 1972. Since that time, numerous lives have been lost as a result of indiscriminate terrorist attacks on civilian populations. It is regrettable that despite the efforts of the international community over the past 10 years, the world is witnessing even more serious manifestations of terrorism, as terrorists are increasingly resorting to inhumane actions that are designed to result in a maximum number of casualties and damage to property.

Terrorism poses a serious threat to the peace and stability of nations and to the security and well-being of their citizens, and it therefore requires a serious response by the international community. The indiscriminate death and injury and the damage to essential services and infrastructure that result from terrorist acts demand that we support practical efforts aimed at addressing the causes and sources of terrorism. The international community must act to create disincentives for those who support terrorism.

Jamaica condemns all acts of terrorism, and we believe that the most effective response to these acts continues to be full cooperation at the international level. It is in this context that the development of a more comprehensive legal framework to combat terrorism becomes a key factor in developing an organized response to this scourge. In this regard, it also remains a matter of primary importance that States strive to ensure that those responsible for terrorist acts are brought to justice.

We welcome the work done by the General Assembly to elaborate the convention on measures to eliminate international terrorism. We hope that the elaboration of a comprehensive convention on international terrorism, which will complement the existing network of various crime-specific counter-terrorism treaties, will also be concluded in good time. These legal instruments create the foundation for addressing terrorism through appropriate cooperation and information exchange.

The challenges presented by terrorism have been compounded by globalization and the revolution in communications technology. Terrorism has thus become intricately intertwined with transnational organized crime, which manifests itself in several forms of criminal activity, including illicit narcotics production and trafficking, money-laundering and illegal arms transfers. In any consideration of terrorism, focus must be placed concurrently on efforts to counter the trafficking in small arms, which undoubtedly contributes to the spread and escalation of terrorism. The international community is therefore faced with new challenges in its fight against terrorism and must develop comprehensive strategies and take all appropriate action in an expeditious and effective manner to address new and more complex manifestations of terrorism.

It is in this context that today's debate provides us an opportunity to examine new and innovative strategies and to consider the Council's role in developing systematic and comprehensive approaches that complement those already being undertaken at the international level. Though much progress has been made, much remains to be done by the Council in

fulfilling its role to counter threats to international peace precipitated by terrorism.

The Security Council has adopted several resolutions and issued a number of presidential statements addressing the issue of terrorism. Every effort must be made to ensure that the Council's rhetoric is followed by effective action to counter terrorist activities. By adopting resolution 1269 (1999) the Council signalled its intention to increase its efforts to counter terrorist threats to international peace and security. While the General Assembly has the primary role in defining the juridical framework and principles for addressing terrorism, the Security Council has an important role to play in complementing and contributing to the collective efforts to counter the threat of terrorism.

It is in this regard that the Council's resolutions, including resolution 635 (1989) on illegal acts against the security of civil aviation and its statement of 31 January 1992, which highlighted the importance of collective action against terrorism, continue to serve as important and effective complements to efforts aimed at addressing this scourge.

Today's debate undoubtedly serves as an important opportunity for the Council to reaffirm its condemnation of terrorism and to reiterate its call on all States to ensure that they do not engage in activities aimed at assisting, supporting or facilitating terrorist activities or at harbouring terrorist organizations or groups. In this respect, we wish to recall the resolutions of the Security Council which call on all States to refuse assistance to terrorist organizations. Those States acting in contravention of these resolutions are themselves contributing to the scourge of terrorism. Our deliberations today must be seen as another step in expressing the Council's readiness to take necessary steps, in accordance with its responsibilities under the Charter, to counter terrorist threats and to put pressure on those who would seek, whether directly or indirectly, to acquiesce in, encourage or tolerate those terrorist acts.

The President (*spoke in Russian*): I thank the representative of Jamaica for his kind words addressed to me.

Mr. Heinbecker (Canada)(*spoke in French*): We would like to thank the Russian presidency for providing us with the opportunity to continue the debate begun last year on international terrorism. We would also like to thank Mr. Hans Corell for his presentation, which was both incisive and comprehensive.

Terrorism is an ever-present threat to international peace and security. In addition, it represents a threat to human security, for the victims of terrorism are primarily innocent civilians. That is why this problem deserves inclusion in the expanded definition of security, which the Security Council is now developing.

(*spoke in English*)

As we are all too aware, terrorism knows no international boundaries. Its perpetrators recognize neither the rule of law nor international norms of humanity or decency. They care not at all what suffering they wreak among the innocent, often for the sake of political statements whose significance is apparent only to themselves.

There is no justification for terrorism, and there can be no concessions made to those who commit terrorist acts. The presidential statement that we will adopt today, just like the draft resolution of the Sixth Committee on elimination of international terrorism, is perfectly clear on this point. Terrorism is never justifiable, for whatever purpose committed and by whomsoever it is committed.

In various regional and multilateral forums, including the General Assembly, we have agreed on important principles in the fight against terrorism. These include the denial of support and sanctuary for terrorists, the establishment of an ever-widening network of international conventions against terrorism and international cooperation and coordination at the policy and operational levels as well.

No state is immune from the threat of terrorism or from the threat that its territory could be used to support terrorist activity elsewhere. For these reasons, international cooperation is essential in the fight against terrorism, as noted by Mr. Corell. The conclusion of negotiations over a year ago on the International Convention for the Suppression of the Financing of Terrorism now brings to 12 the number of international counter-terrorism instruments at the disposal of the international community. Canada has signed all 12 of these instruments and ratified 11; we are in the process of ratifying the twelfth. These conventions, along with the

ongoing negotiations on other instruments, such as the Indian draft comprehensive convention to combat international terrorism, constitute a sound legal framework to combat terrorism wherever it arises in the world.

The multiplicity of international efforts to fight terrorism reflects the importance that the international community attaches to this issue. Our citizens expect no less. They also expect that strong action against terrorism will be consistent with broader commitments to human rights and the rule of law. By respecting these principles, the institutions entrusted to fight terrorism will attract public support and deny terrorists the sympathy and the support they need.

For its part, the Security Council has and must continue to play a key role in the fight against terrorism. It has responded robustly to specific cases of terrorism, whether it be the Lockerbie case or the assassination attempt on President Mubarak of Egypt. It has also imposed sanctions against those who harbour or support terrorism, as in the case of the Taliban and Usama bin Laden. These actions, while showing that there can be no impunity for terrorism, can also serve as a deterrent to future terrorist acts.

(*spoke in French*)

The fight against terrorism has many aspects. It must be part of a broader framework that will address not the immediate threat alone, but also the underlying factors supporting terrorism. There is, in particular, a need to cooperate on the implementation of laws while tackling issues of human rights, democratic development, good governance and socio-economic problems. It is in the context of such a comprehensive approach to the problem that we will be able to find viable and enduring solutions to terrorism.

The President (*spoke in Russian*): I thank the representative of Canada for his kind words addressed to my delegation.

Mr. Hasmy (Malaysia): My delegation welcomes the convening of this meeting, which provides the Council with an opportunity to continue its consideration of the threat to international peace and security posed by international terrorism, which was first addressed by the Council way back in 1992. We recall that, following the important initiative taken by you, Sir, and your delegation, during your presidency of the Council in October last year, we had a very useful debate, culminating in the unanimous adoption of a landmark resolution pertaining to the question of international terrorism, namely, resolution 1269 (1999) of 19 October 1999.

We are also grateful to Under-Secretary-General Hans Corell, the United Nations Legal Counsel, for his useful briefing on the subject and his comprehensive briefing paper. Clearly, important efforts have already been or are being made by the United Nations in developing relevant international legal instruments to combat and suppress the terrorist menace. We commend the efforts of the Secretary-General in facilitating the work of the relevant United Nations organs, as outlined by the Legal Counsel.

My delegation has clearly put forward its position on international terrorism during the Council's debate on the issue in October last year and during the ongoing discussions in the General Assembly and the relevant Committees. I do not intend to repeat Malaysia's position beyond reiterating three main principles.

First, Malaysia is against terrorism in all its forms and manifestations. We condemn all acts, methods and practices of terrorism as unjustifiable criminal acts, regardless of the motivation of their perpetrators, when innocent civilians are deliberately targeted as victims. Terrorism should be condemned wherever it rears its ugly head and whether committed by individuals, groups of individuals or state authorities; the latter, with better means at their disposal, can sometimes be more devastating and destructive to civil society. In taking security measures, States must be guided by the principle of proportionate response and not cross the threshold beyond which such security measures may descend to the level of terrorism, which we all abhor. Whenever such excessive use of force by the State occurs, resulting in massive loss of life and injury to the civilian population, it must be roundly condemned, as we do with respect to other forms of terrorism.

Secondly, there should be a clear and universally agreed definition of terrorism so that it can be differentiated from the legitimate struggles of peoples under colonial or alien domination and foreign occupation for self-determination and national liberation, as recognized by the relevant resolutions and declarations that have been adopted by the United Nations. However, this does not justify the use of

terrorist methods by any group against the unarmed civilian population.

Thirdly, the international community must deal with the terrorist menace with the severity it deserves in a well-coordinated global strategy that should be carried out in a fair, objective and non-selective manner and without politicizing the issue.

The fight against international terrorism is a global effort involving States Members of this Organization and other international and regional organizations. The Non-Aligned Movement, in the Durban Declaration of 1998, clearly enunciated its position on the need to promote international cooperation in combating terrorism, which, inter alia, should be pursued in accordance with the principles of international law and respect for the sovereignty and territorial integrity of States. The Organization of the Islamic Conference (OIC) has also taken its own initiative on this matter through its resolution 59/26-P on the follow-up of the Code of Conduct For Combating International Terrorism and the Convention of the OIC on Combating International Terrorism, as contained in document S/1999/1204 of 29 November 1999. The Legal Counsel has alluded to the OIC initiative in his briefing paper. Malaysia, as a member of the two organizations, fully subscribes to these positions.

Over the past four years, the General Assembly's Ad Hoc Committee, in which we participate actively, has achieved remarkable results in strengthening legal measures against terrorism, particularly with the adoption of the International Convention for the Suppression of Terrorist Bombings in 1997 and the International Convention for the Suppression of the Financing of Terrorism in 1999.

We are pleased to note that the Ad Hoc Committee this year has started its consideration of the Indian-initiated draft comprehensive convention on international terrorism. We are gratified to note, too, that the draft was well received by Member States, although a number of issues have yet to be resolved before it can be adopted. In this regard, we feel that it is imperative that the question of the definition of terrorism be addressed in serious fashion so that an acceptable definition can be included in the draft convention. A universally agreed definition of terrorism is important not only to clear up any ambiguity about the term, but also to facilitate greater and more concrete and coordinated cooperation by States in combating this menace. In this regard, we would urge a truly comprehensive approach in the elaboration of the convention on terrorism in the Sixth Committee.

Malaysia is also seriously concerned by the ever-present danger of nuclear terrorism. We continue to believe that, ultimately, the most effective way of preventing what would be the catastrophic consequences of acts of nuclear terrorism is the total elimination of nuclear weapons; hence, the importance we have attached and continue to attach to nuclear disarmament leading to the ultimate elimination of all nuclear weapons. Notwithstanding this, we commend the Russian Federation for its initiative and look forward to the early completion of the work on the draft convention for the suppression of acts of nuclear terrorism and to its eventual adoption, thereby making the world a little safer, though not entirely safe from the possible use of nuclear weapons. Finally, my delegation fully concurs with the observation made by the Legal Counsel that the fight against terrorism must ultimately be seen in terms of practical cooperation. This, undoubtedly, is a fundamental requirement that should be incorporated into any international legal instrument concerning terrorism in order to establish clear guidelines governing States' cooperation in the fight against terrorism. We should also recognize the important role of regional and subregional organizations in addressing the issue, and encourage and support them in complementing global efforts.

The President (*spoke in Russian*): I thank the representative of Malaysia for his kind words addressed to our delegation.

Ms. Soderberg (United States of America): I commend your leadership, Mr. President, in setting aside today to discuss an issue of enormous important not only to every country represented around the table, but to all the members of the United Nations. I think the briefing we heard from our Legal Counsel, Hans Corell, lays out the challenges before us, as well as the opportunities. I think we should all pause and review our own priorities in dealing with this very difficult but crucial and important issue. My country has certainly been the victim of terrorism, including quite recently at some of our embassies in Africa. We have all been awakened by the shocking news of a sudden terrorist attack on our citizens or a hijacking. I think that taking some time out of our busy schedule to look at how we

can move forward on this problem is a crucial priority. We commend the Russian presidency for doing so.

As resolution 1269 (1999) makes clear, the suppression of acts of terrorism is essential if international peace and security are to be maintained, which is one of the priorities of the Security Council's mission. The suppression of terrorism is crucial to our own mandate to maintain international peace and security.

Mr. Corell has provided us with a crystal-clear analysis of the roles of the Security Council, the General Assembly and the Secretariat, as well as of their respective responsibilities and of the need for continued action by all concerned to cope with the scourge of terrorism. Whether it be the very real threat from groups that provide safe-haven and comfort to those who attack embassies, or other groups that harbour individuals who attack civilian aviation, we must all stand ready to cooperate and make use of the opportunities provided by the United Nations to eliminate the threat of terrorism.

The tools we have to combat terrorism must have the strong support of all members of this body. Our primary tool against terrorism is that of sanctions. We have imposed sanctions against those who have carried out acts of terror and against those who provide haven to terrorists. We must recommit ourselves to supporting such measures and ensuring that Member States follow through on the commitments imposed on them by the Security Council. In addition to this, we have various conventions against terrorism. Those States that have not ratified the existing conventions should consider doing so urgently. Those States that are parties to the conventions must seek to cooperate to give them full force and effect.

Unrelated issues must not be allowed to prevent progress on key conventions. For instance, the work on the draft conventions currently before the Ad Hoc Committee must be carried forward, and not be taken as an opportunity to attempt to resolve issues more properly considered in the First Committee as a kind of *quid pro quo* for agreement on the all-important convention on nuclear terrorism.

No one can justify terrorism. We must all make the fight against terrorism a priority. We welcome the opportunity for us all to be reminded of what has been accomplished, of how our accomplishments must be given effect, and of what remains to be done. Let us all cooperate to eliminate the scourge of terrorism.

The President (*spoke in Russian*): I thank the representative of the United States for her kind words addressed to us.

Mr. Kuchynski (Ukraine): First of all, I would like to thank you, Mr. President, for convening this meeting on the issue of international terrorism, which has become a subject of growing concern to the world community. My delegation also wishes to commend the Russian Federation for the continuous attention it has given to this problem and for its important contribution to the cause of eliminating the scourge of international terrorism. In recent years, your country, Mr. President, has suffered enormously from the most brutal sorts of terrorist attacks directed primarily against innocent civilians. As a result of those attacks hundreds of people have died or received severe injuries. We mourn with you the victims of those barbarous acts and share your pain and indignation.

I would also like thank Under-Secretary-General Hans Corell for his informative briefing and for his comprehensive note on follow-up measures to resolution 1269 (1999).

The increasing attention given by various United Nations bodies, including the Security Council, to the phenomenon of international terrorism is not surprising. During the last decade we have witnessed an unprecedented outbreak of terrorist acts in different parts of the world. No State — be it big or small, rich or poor — can feel safe against the threat of terrorism, which knows no boundaries and makes no distinction between children and military targets or between diplomatic and humanitarian missions. Not only does terrorism cause civilian deaths, it also threatens the territorial integrity and security of States and undermines confidence in relationships between nations, thereby endangering international peace and security. In that connection, I wish to underline the particularly close connection that exists between terrorism and aggressive separatism, ethnic intolerance and religious extremism.

Conflict situations create favourable conditions for the activities of terrorist groups. Of particular concern is the fact that the activities of terrorist organizations are financed through other criminal activities, including arms smuggling and the production of, and trafficking in, drugs. Nowadays, terrorists use

new and more sophisticated means of terror. They have increasingly profited from the benefits of the information revolution. In an era in which there is growing importance of, and dependence on, information and communications systems, there is an increasing risk of the use of computer technologies by potential terrorists to destroy essential infrastructure and undermine the security and well-being of nations and countries.

We are convinced that the intensification of international efforts to combat terrorism needs a more concentrated focus on the underlying causes of this extremely complicated international phenomenon and its deep socio-economic roots and conditions. The roots of terrorism are very similar to those of international conflicts, namely, poverty, inequality and oppression. Their virtual elimination would therefore ultimately be conducive to a decrease in terrorist activity.

I would also like to underscore another important aspect of the concerted efforts by the international community to fight terrorism. Terrorist attacks constitute a clear violation of recognized norms of international law. The main purpose of most of them is to undermine international stability and to provoke another cycle of violence in international or inter-ethnic relations. The international community should not, under any circumstances, give in to such provocations. All actions taken at international, regional or national levels must be in full conformity with the existing rules of international law, including international humanitarian and human rights law, and not run counter to the fundamental principles of the United Nations Charter.

Ukraine has repeatedly condemned, in the strongest possible terms, international terrorism in all its forms and manifestations, no matter what considerations of a political, philosophical, ideological, racial, ethnic, religious or any other nature might be invoked to justify terrorist acts. We have consistently supported the concerted efforts of the international community in combating this scourge. My country has ratified most of the instruments of a universal character in this field. Earlier this year, Ukraine signed the International Convention for the Suppression of the Financing of Terrorism. The International Convention for the Suppression of Terrorist Bombings is to be ratified in the near future. We consider adherence to and full implementation of the relevant international instruments by Member States to be an essential contribution to the maintenance of international peace and security. At the same time, we realize that legal instruments alone are not sufficient; there is a need for a strong commitment by States and genuine cooperation between Governments and their law enforcement agencies in fighting terrorism.

My delegation would also like to reaffirm the central role of the General Assembly in addressing the issue of international terrorism. Its work in this area is fully commendable and represents an example of how the efforts of individual States can successfully be pooled to achieve tangible results. We hope that this spirit of cooperation will continue to prevail in the activities of the Assembly, in particular in its work on the draft convention on nuclear terrorism and draft comprehensive anti-terrorism convention. We recognize the important contribution made by the Security Council to the collective efforts to combat terrorism, in particular where it represents a challenge to international peace and security. We underline the need to preserve the established balance of responsibilities between these two bodies, as provided for by the United Nations Charter.

Finally, I wish to also mention the need to further strengthen the capacity of the United Nations in preventing and combating terrorism. As noted by the Legal Counsel, the Terrorism Prevention Branch of the Office for Drug Control and Crime Prevention engages in research activities on terrorism and carries out other important work to promote international cooperation in this field. In this context, the initiative regarding the establishment — after reviewing existing possibilities within the United Nations system — of an international anti-terrorism centre deserves further attention. This initiative was supported during the Millennium Summit by the Presidents of the GUUAM — Georgia, Uzbekistan, Ukraine, Azerbaijan, Moldova — Group of States.

The President (*spoke in Russian*): I thank the representative of Ukraine for his kind words expressed to my country.

Mr. Levitte (France) (*spoke in French*): Allow me to thank the Legal Counsel, Mr. Hans Corell, for his very clear account of the actions undertaken by the United Nations to combat international terrorism.

The French delegation, like many that have already spoken, would like first to reaffirm its absolute

and unconditional condemnation of terrorism in all its forms and manifestations, regardless of the cause invoked or the perpetrators. Terrorist acts always contribute to unravelling the very fabric of society and to jeopardizing the bases of democracy and human rights.

To fight international terrorism we must equip ourselves with instruments for effective cooperation, while respecting human rights and fundamental freedoms, and at the same time combat the political and human tragedies that contribute to instability, which in turn nourishes terrorist groups. In this regard, the United Nations plays a critical role.

The French delegation would like in particular to emphasize the importance of the work being carried out in the General Assembly on measures to eliminate international terrorism. We recall the importance of the various sectoral conventions that have been drawn up in this framework. The entry into force of all these international instruments will be decisive for international cooperation against terrorism. The French delegation calls upon the States that have not yet done so to sign and ratify the Convention on the Suppression of Terrorist Bombings, as well as the Convention on the Suppression of the Financing of Terrorism. The latter Convention, the result of a draft introduced by France, tackles the pivotal issue raised by the question of financing for terrorist groups. It establishes effective means, relying in particular on cooperation from financial institutions. Moreover, we favour the rapid conclusion of the draft convention on the suppression of acts of nuclear terrorism, which would complement the existing conventions in a useful manner.

The significant concrete results achieved within the framework of the United Nations are linked to the chosen approach, which gives pride of place to pragmatism, the search for consensus and a sectoral consideration of problems. We remain dedicated to that approach. We think, however, that the elaboration of a comprehensive convention on international terrorism — as foreseen in General Assembly resolution 54/110, which was based on a draft introduced by India — is desirable. Such a convention, which would not replace the existing sectoral conventions, would make it possible to fill the remaining gaps, while preserving the gains of these conventions.

Beyond the drawing up of legal instruments, international cooperation must be based on an intensive exchange of information. For its part, France is actively participating in the work of Europol, which since 1 July 1999 has been charged with making use of information collected in the fight against terrorism. The French delegation also recalls that the European Union has established in-depth cooperation with other States in order to combat terrorism, in particular within the framework of the Barcelona process, with the coastal countries of the Mediterranean.

As regards the Terrorism Prevention Branch of the Centre for International Crime Prevention, in Vienna, we believe it would be useful to increase information exchanges between it and United Nations Member States. In this context, the French delegation recalls that, to be effective, the fight against terrorism must take into account the specific nature of terrorist acts. In particular, there is a need to distinguish between the fight against terrorism and the fight against organized crime. If there are links between these two phenomena, they must be addressed in different ways.

The 1994 Declaration on Measures to Eliminate International Terrorism, annexed to General Assembly resolution 49/60, and more recently Security Council resolution 1269 (1999) have reaffirmed that terrorist acts could constitute a threat to international peace and security. That threat justifies the Security Council taking a position on the question of terrorism, as in the cases referred to in the Legal Counsel's statement. In so doing, the Council is not acting as a substitute for the General Assembly, which maintains its role of defining the principles guiding the fight against terrorism. To the contrary, in its resolution 1269, the Security Council has endorsed the principles so forcefully put forward by the General Assembly in its 1994 Declaration.

Mrs. Ashipala-Musavyi (Namibia): Let me begin by thank you, Mr. President, for once again holding a meeting on the subject of international terrorism as a follow-up to Security Council resolution 1269 of October 1999, adopted under your presidency. This resolution condemns all acts, methods and practices of terrorism as criminal and unjustifiable, regardless of their motivation. In the same vein, let me take this opportunity to extend our appreciation and thanks to the Legal Counsel for his introductory remarks.

We appreciate your country's commitment, Mr. President, to fight terrorism in all its forms and manifestations. As one of the most heinous crimes threatening international peace and security, international terrorism knows no boundaries and is not targeted at any particular region or ethnic group. It is indiscriminate and brings human tragedy of unparalleled magnitude. In a bid to contain terrorism, Governments are forced to impose harsh security measures to stamp out terrorism and to protect their citizens. Terrorists bury themselves within the surrounding community, indistinguishable from ordinary law-abiding citizens, and at the appropriate moment, they emerge from the shadows to strike before disappearing back into anonymity, thus undermining confidence in the Government's ability to maintain law and order by sowing fear among the citizens.

Therefore, the inherent problems of fighting against terrorism warrant cooperation among States. The work being done by the United Nations to combat this scourge are welcome by my delegation. Let me stress, as we have on numerous occasions, that as the Organization continues to work to put in place measures to fight terrorism, a distinction continue to be made between terrorism and the legitimate rights of people under foreign occupation and domination, fighting for their inalienable rights to self-determination and freedom. Namibia supports the 1994 United Nations Declaration on Measures to Eliminate International Terrorism, and we join the community of nations to stand together in relentless pursuit, using all necessary means to combat terrorism in all its manifestations.

The President (*spoke in Russian*): I shall now make a statement in my capacity as representative of the Russian Federation.

We are grateful to Under-Secretary-General Hans Corell for his substantive report regarding United Nations anti-terrorism efforts. This question has a direct bearing on the Security Council's mandate. Terrorism has become one of the most dangerous threats to international peace and security and a catalyst of conflicts. No single State can allow itself to ignore the problem of terrorism or to seriously expect to resolve it on its own.

In a number of cases, international terrorists have already outstripped the international community's efforts to counteract them and have established a broad network of transborder interaction to implement their unsavoury objectives. Of particular concern is the emergence of a new arc of terrorist activity: the Balkans, the Middle East, the Caucasus, Central Asia and Afghanistan. An adequate rebuff to a danger on such a scale is impossible without the unity of all States, without exception.

The main source of the threat of international terrorism is Afghanistan, which is under the control of the Taliban. Despite the international community's urgent appeals, the Taliban movement is not carrying out the demands by the Security Council that it cease harbouring and training international terrorists and ban the use of territory under Taliban control for the establishment of terrorist camps or the preparation of terrorist acts against other States.

We are witnessing the metastases of this terrorist tumour that is striking States on all continents. During the Millennium Summit and the Millennium Assembly, the President of the Russian Federation, Mr. Vladimir Putin, and the Russian Minister for Foreign Affairs, Igor Ivanov, once again reaffirmed our country's position of principle that in circumstances of growing consolidation of terrorist structures throughout the world, increasing responsibility is being placed on the United Nations to mobilize international potential to counteract terrorism. That work must, *inter* alia, promote the implementation of the principles enshrined in Security Council resolution 1269 (1999); that is, no support or havens must be offered to terrorists and punishment for all terrorist acts must be irreversible.

It is also important to establish an effective system of interaction within United Nations organs in resolving the terrorism problem, particularly within the General Assembly, the Security Council and the Secretariat, which must work together, complementing each other on the basis of their relevant jurisdictions under the Charter, and through cooperation with regional mechanisms.

A very important condition for effective anti-terrorism cooperation among States is the existence of a broad and reliable international legal basis. Like my colleagues have done, I associate myself with the appeals made to all countries to adhere to the existing universal anti-terrorist conventions and to ensure the speedy conclusion of work on the necessary additional instruments designed to fill the existing legal gaps in anti-terrorism cooperation. In that connection, we

attach particular importance to the draft convention to suppress acts of nuclear terrorism and we welcome the start of practical discussion on the draft, submitted by India, of a comprehensive convention on the suppression of international terrorism.

I now resume my function as President of the Security Council.

Since there were no specific questions addressed to Mr. Corell in the discussion, Mr. Corell will not be taking the floor. In conclusion, I would like to thank Mr. Corell for his statement and for his participation in our meeting.

There are no further speakers inscribed on my list. The Security Council will continue its consideration of the item on its agenda immediately following the adjournment of this meeting.

The meeting rose at 12.40 p.m.